

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROY FRISBEE,

Defendant.

(02)

CR. NO. 03-00200 (HG) -02

SPECIAL VERDICT FORM AS
TO DEFENDANT ROY FRISBEE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

DEC 03 2004

1 o'clock and 45 min. P.M.
WALTER A. Y. H. CHINN, CLERK

SPECIAL VERDICT FORM AS TO DEFENDANT ROY FRISBEE

COUNT 1: Having found defendant ROY FRISBEE guilty as to the offense of conspiracy to distribute and possess with intent to distribute methamphetamine charged in Count 1 of the Indictment, please answer parts a-c below:

a) please indicate below the highest amount of methamphetamine (of any purity) which you unanimously agree was either within the scope of defendant ROY FRISBEE's agreement with his co-conspirator(s), or, which was involved in this offense and reasonably foreseeable to defendant ROY FRISBEE as being in furtherance of jointly undertaken criminal activity. Please note that 1 kilogram (1,000 grams) = 2.2 pounds; 1 pound = 453.6 grams (check only one):

☒

15 kilograms or more

☐

at least 5 kilograms but less than 15 kilograms

☐

at least 1.5 kilograms but less than 5 kilograms

☐

at least 500 grams but less than 1.5 kilograms

EXHIBIT A

_____ at least 350 grams but less than 500 grams
 _____ at least 200 grams but less than 350 grams
 _____ at least 50 grams but less than 200 grams
 _____ at least 40 grams but less than 50 grams
 _____ at least 30 grams but less than 40 grams
 _____ at least 20 grams but less than 30 grams
 _____ at least 10 grams but less than 20 grams
 _____ at least 5 grams but less than 10 grams
 _____ at least 2.5 grams but less than 5 grams
 _____ less than 2.5 grams

b) Please indicate below the amount of the
 methamphetamine from part (a) above (if any) which you
 unanimously find was "ice." "Ice" means a mixture or substance
 containing d-methamphetamine hydrochloride of at least 80% purity
 (check only one):

☒ 1.5 kilograms or more
 _____ at least 500 grams but less than 1.5
 kilograms
 _____ at least 150 grams but less than 500 grams
 _____ at least 50 grams but less than 150 grams
 _____ at least 35 grams but less than 50 grams
 _____ at least 20 grams but less than 35 grams
 _____ at least 5 grams but less than 20 grams
 _____ at least 4 grams but less than 5 grams
 _____ at least 3 grams but less than 4 grams
 _____ at least 2 grams but less than 3 grams

- ☐ at least 1 gram but less than 2 grams
- ☐ at least 500 milligrams but less than 1 gram
- ☐ at least 250 milligrams but less than 500 milligrams
- ☐ less than 250 milligrams

c) Please indicate your unanimous agreement as to the following:

1) The criminal activity as to Count 1 involved
(check only one; jury must unanimously agree):

- ☒ 5 or more participants
- ☐ less than 5 participants

2) Defendant ROY FRISBEE's role in the conspiracy offense (check only one; jury must unanimously agree):

- ☐ was not as a manager or supervisor
- ☒ was as a manager or supervisor

[When finished, please proceed to Count2]

COUNT 2: Having found defendant ROY FRISBEE guilty as to the offense of possession of methamphetamine with intent to distribute, please answer parts a and b below.

a) Please indicate below the highest amount of methamphetamine (of any purity) which you unanimously agree was possessed by defendant ROY FRISBEE on or about the date alleged in Count 2, which was intended to be distributed. Please note

that 1 kilogram (1,000 grams) = 2.2 pounds; 1 pound = 453.6 grams
(check only one).

- ☐ 15 kilograms or more
- ☐ at least 5 kilograms but less than 15 kilograms
- ☐ at least 1.5 kilograms but less than 5 kilograms
- ☒ at least 500 grams but less than 1.5 kilograms
- ☐ at least 350 grams but less than 500 grams
- ☐ at least 200 grams but less than 350 grams
- ☐ at least 50 grams but less than 200 grams
- ☐ at least 40 grams but less than 50 grams
- ☐ at least 30 grams but less than 40 grams
- ☐ at least 20 grams but less than 30 grams
- ☐ at least 10 grams but less than 20 grams
- ☐ at least 5 grams but less than 10 grams
- ☐ at least 2.5 grams but less than 5 grams
- ☐ less than 2.5 grams.

b) Please indicate below the amount of the methamphetamine from part (a) above (if any) which you unanimously find was "ice." "Ice" means a mixture or substance containing d-methamphetamine hydrochloride of at least 80% purity (check only one):

- ☐ 1.5 kilograms or more
- ☒ at least 500 grams but less than 1.5 kilograms

_____ at least 150 grams but less than 500 grams
_____ at least 50 grams but less than 150 grams
_____ at least 35 grams but less than 50 grams
_____ at least 20 grams but less than 35 grams
_____ at least 5 grams but less than 20 grams
_____ at least 4 grams but less than 5 grams
_____ at least 3 grams but less than 4 grams
_____ at least 2 grams but less than 3 grams
_____ at least 1 gram but less than 2 grams
_____ at least 500 milligrams but less than 1 gram
_____ at least 250 milligrams but less than 500
milligrams
_____ less than 250 milligrams

DATED: 12/3, 2004, at Honolulu, Hawaii.


FOREPERSON

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